

Application No. 10/582,572  
Reply To Office Action Dated April 3, 2008  
Response Dated July 9, 2008

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig 3. This sheet, which includes only Fig 3, replaces the original sheet including Fig 3.

Attachment: Replacement Sheet for Fig 3 (2/2).

Application No. 10/582,572  
Reply To Office Action Dated April 3, 2008  
Response Dated July 9, 2008

## REMARKS

### I. Status of the Claims and the Current Rejections

Claims 1-10 were originally pending in this application. With this response, applicant cancels claims 1-10 and adds claims 11-17. Applicant acknowledges the indication that the drawings filed on June 12, 2006 are accepted. Nonetheless, applicant submits herewith a corrected Fig 3, to conform the drawings to the written specification. The specification has been amended to add several reference numbers. Applicant further notes that the Office Action acknowledges the claim for foreign priority under Section 119, and indicates that all certified copies of the priority document have been received.

Each of original claims 1-10 was rejected for alleged lack of novelty under § 102(b) based on UK Patent No. 2070139A ("UK '139"). Applicant respectfully traverses the rejection. Nonetheless, new claims 11-17 focus on the subject matter regarded as patentable. These new claims are clearly allowable over UK '139. Based on the amendments to the claims and these remarks, applicant respectfully requests reconsideration of allowability of the currently pending claims.

### II. The Claimed Invention

New claim 11 is directed to a ram air channel for the supply of ambient air in an aircraft. This claim recites a first air inlet (12) and a main flow channel (16) which extends downstream of the first air inlet. The claim also recites a second air inlet (24) independent from the first air inlet (12), along with a movable element (36) for setting, or adjusting, the flow cross-section of the second air inlet (24). The ram air channel also includes a device (25) for creating low pressure

Application No. 10/582,572  
Reply To Office Action Dated April 3, 2008  
Response Dated July 9, 2008

in the area of the second air inlet (24) to move the movable element into a first position to at least partially open the flow cross-section of the second air inlet (24).

Dependent claims 12-17 include the same features, but also recite one or more additional features in combination therewith. As described in the specification, during the flight the first air inlet (12) provides an optimal supply of ambient air for the systems on board the aircraft. Meanwhile, by eliminating the need for a movable element for opening the flow cross-section of the first air inlet, this claimed invention reduces aerodynamic losses and minimizes the noise in the area of the first air inlet. Moreover, the structure associated with the second air inlet, namely the movable element (36) and the low pressure creating device (25), assure that all systems on board the aircraft are correctly supplied with a sufficient amount of ambient air when the aircraft is on the ground.

Compared to the original claims, new claim 11 represents a combination of original claims 1, 4, and 6. Claims 12 and 13 are based on original claims 2 and 3, respectively. New claim 14 is based on original claim 5. New claims 15, 16, and 17 are based on original claim 8, 9, and 10, respectively. Applicant respectfully asserts that none of new claims 11-17 raises any issues with respect to Section 112.

### III. UK '139

UK '139 does not teach the claimed structure. UK '139 relates to an air intake duct for a gas turbine of a super sonic aircraft. This intake duct has a main air inlet, an auxiliary air inlet opening (15), and a door (11) operable to seal the auxiliary air inlet opening (15). The door (11) can be opened/closed via a spring, a hydraulic actuator, or an electrically operated actuator. The

Application No. 10/582,572  
Reply To Office Action Dated April 3, 2008  
Response Dated July 9, 2008

door (11) automatically opens when a predetermined angle of attack is exceeded so as to counteract a cowl-lift induced boundary layer separation.

UK '139 does not teach or suggest a device (25) for creating low pressure in the area of the second air inlet, thereby to cause a movable element to move so as to open the flow cross-section of the second air inlet. The claimed invention focuses on supplying ambient air to an aircraft both during flight and when the aircraft is on the ground, in a manner that is relatively simple in structure. UK '139 fails to teach the structure described in the claims. Therefore, UK '139 cannot properly anticipate any of the claims.

Moreover, UK '139 fails to supply any objective reason (including failing to teach, suggest, or motivate a person of ordinary skill in the art) to modify its structure so as to supply ambient air both during flight and when the aircraft is on the ground, and to do so via a device (25) which creates low pressure in the area of the second air inlet.

For all these reasons, applicant respectfully submits that each of new claims 11-17 is patentable over the cited prior art or record, including UK '139.

#### IV. Conclusion

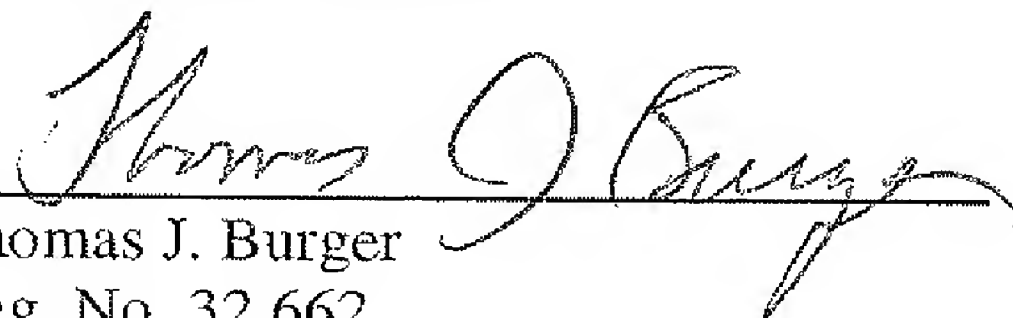
Based on the amendments to the specification and the claims, and on these Remarks, applicant respectfully submits that all presently-pending claims are patentable and should be allowed without delay.

Applicant does not believe that any fee is due in connection with this submission, other than \$120.00 for a one month extension of time. Applicant will supply credit card information for the extension of time fee. However, if any additional fees are necessary to complete this

Application No. 10/582,572  
Reply To Office Action Dated April 3, 2008  
Response Dated July 9, 2008

communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

  
Thomas J. Burger  
Reg. No. 32,662

Wood, Herron & Evans, L.L.P.  
441 Vine Street, 2700 Carew Tower  
Cincinnati, OH 45202  
(513) 241-2324 (voice)  
(513) 241-6234 (facsimile)